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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 United States of America,

10 Plaintiff,

11 v.

12 Rodrigo Omar Paez-Quintero,

13 Defendant.
14

No. CR-19-02042-001-TUC-JAS (MSA)

ORDER

15 Pending before the Court is Defendant Rodrigo Omar Paez-Quintero's motion to be
16 removed from administrative segregation. The Government did not file a response within
17 the 14-day deadline, so Defendant's motion is unopposed. Nevertheless, for the following
18 reasons, the motion will be denied.¹

19 Absent a constitutional violation, federal courts should not interfere with matters of
20 prison and jail administration. *See Bell v. Wolfish*, 441 U.S. 520, 535–37 (1979) (stating
21 that restrictions on pretrial confinement are permitted so long as they “do not amount to
22 punishment, or otherwise violate the Constitution”). Rather, courts “defer to the judgment
23 of corrections authorities, particularly with regard to matters of security, because . . .
24 running a prison or jail is an inordinately difficult undertaking with which prison or jail
25 authorities have particular expertise.” *Mangiaracina v. Penzone*, 849 F.3d 1191, 1197
26 (9th Cir. 2017) (internal quotation marks and brackets omitted) (quoting *Turner v. Safley*,
27 482 U.S. 78, 84–85 (1987)). Here, when the Government did not respond, the Court's staff

28 ¹ Defense counsel requested oral argument on the motion. The Court finds that further
argument is unnecessary.

1 contacted the facility where Defendant is housed. The Security Threat Group Coordinator
2 confirmed that Defendant's restrictive housing is the result of a security concern—i.e.,
3 Defendant's safety. This judgment is based on the information available to the jail
4 administrators as well as on their experience. The Court will not interfere with it absent a
5 showing that Defendant's constitutional rights are being violated.

6 Defendant has not made that showing here. He suggests that his housing is punitive
7 and therefore a violation of due process. *See Bell*, 441 U.S. at 535 (holding that conditions
8 of pretrial detention violate due process only if they are punitive). However, when “a
9 particular condition or restriction of pretrial detention is reasonably related to a legitimate
10 governmental objective, it does not, without more, amount to ‘punishment.’” *Id.* at 539.
11 “[M]aintaining institutional security”—which includes “tak[ing] appropriate action to
12 ensure the safety of inmates”—is a legitimate governmental objective. *Id.* at 540, 546–47.
13 Defendant's housing is directly related to that security objective, so it is not punitive.
14 Furthermore, according to defense counsel, Defendant's security designation is reviewed
15 on a weekly basis. That will ensure that Defendant does not languish in administrative
16 segregation unnecessarily.

17 Defendant also suggests that any concern for his safety is unfounded, as he spent
18 time in a Mexican prison without incident and has not received any specific threats of harm
19 here. This reasoning ignores the jail administrators' experience with inmates who may be
20 more susceptible to harm. *See Mangiaracina*, 849 F.3d at 1197 (stating that courts should
21 defer to jail administrators' expertise, “particularly with regard to matters of security”). It
22 is not persuasive.

23 * * *

24 **IT IS ORDERED** that Defendant's motion to be removed from administrative
25 segregation (Doc. 89) is **denied**.

26 Dated this 20th day of September, 2024.

27 
28 Honorable Maria S. Aguilera
United States Magistrate Judge